



MEMORANDUM

Agenda Item No. 7(P)(1)(D)

TO: Hon. Chairperson Barbara Carey-Shuler, Ed.D.
and Members, Board of County Commissioners

DATE: **January 20, 2004**

FROM: George M. Burgess
County Manager

SUBJECT: Resolution Authorizing the County Manager to Accept the Purchase and Sale Agreement Containing a Counteroffer including Additional Land and the Relocation or Replacement of Certain Improvements for the Property Located along Old Dixie Highway, from SW 157 Avenue to just South of SW 280 Street as Part of the Expansion of the South Dade Busway Segment II

RECOMMENDATION

It is recommended that the Board approve the attached resolution accepting the Purchase and Sale Agreement containing a counteroffer presented by property owners Carlos V. Granado and America Deise Granado, his wife. The counteroffer of \$42,402.50 includes additional land and the relocation of a privacy hedge and wrought iron gates; and the replacement of columns, asphalt paved driveway flairs, chain link gate and half of the concrete curb base for the fence. Said property is located along Old Dixie Highway, from SW 157 Avenue to just south of SW 280 Street. The property is part of the Expansion of the South Miami-Dade Busway Segment II, from SW 344 Street to SW 264 Street. Attached are Exhibit "A" (Property Owner's Counteroffer and Legal Description) and Exhibit "B" (Location Map).

BACKGROUND

Resolution No. R-1145-02 dated October 8, 2002, approved the acquisition at appraised value of all parcels, including Parcel No. 18, necessary for the South Miami-Dade Busway Segment II. The appraised value of the land originally included in Parcel 18 was \$8,935.00 for 8,935 square feet or \$1.00 per square foot, plus \$636.00 for the value of the improvement, for total rounded appraised value of \$9,600.00.


The property owner has proposed a counteroffer of \$42,402.50 that includes additional square footage of frontage along Old Dixie Highway from SW 157 Avenue to theoretical SW 281 Street which will assist in widening the right-of-way. The appraised value of this land is \$31,931.00, rounded to \$32,000.00, for 31,931 square feet, plus \$10,402.50 for the relocation of a privacy hedge, and wrought iron gates; and replacement of columns, asphalt paved driveway flairs, chain link gate and half of the concrete curb base.

Hon. Chairperson Barbara Carey-Shuler, Ed. D.
and Members, Board of County Commissioners
Page 2

The 31,931 square feet includes the original 8,935 square feet at \$1.00 per square foot, originally requested, plus an additional 22,996 square feet at the same \$1.00 per square foot. All lands lie within folio number 30-7904-000-0220. This additional acquisition will widen the right-of-way from 30 feet to a required minimum of 50 feet for Old Dixie Highway from SW 157 Avenue to theoretical SW 281 Street. The Property Appraiser's Tax Assessment Value for this property identified as folio: 30-7904-000-0220 is \$333,117.00 or \$0.62 per square foot. The Public Works Department and Miami-Dade Transit recommend the approval of this purchase.

The South Miami-Dade Busway Extension Segment II Project right-of-way acquisition effort is being funded as part of an overall multi-source project budget composed of approximately the following percentages: federal 73% (\$62,670,440.00) and state 27% (\$22,810,000.00) for a total of \$85,480,440.00, of which \$2,970,000.00 is earmarked for right-of-way acquisition for this segment.

This resolution authorizes the County Manager to acquire said land in fee simple title.



Assistant County Manager



MEMORANDUM

(Revised)

TO: Hon. Chairperson Barbara Carey-Shuler, Ed.D.
and Members, Board of County Commissioners

DATE: January 20, 2004

FROM: Robert A. Ginsburg
County Attorney

SUBJECT: Agenda Item No. 7(P)(1)(D)

Please note any items checked.

- ☐ "4-Day Rule" ("3-Day Rule" for committees) applicable if raised
- ☐ 6 weeks required between first reading and public hearing
- ☐ 4 weeks notification to municipal officials required prior to public hearing
- ☐ Decreases revenues or increases expenditures without balancing budget
- ☐ Budget required
- ☐ Statement of fiscal impact required
- ☐ Bid waiver requiring County Manager's written recommendation
- ☐ Ordinance creating a new board requires detailed County Manager's report for public hearing
- ☐ Housekeeping item (no policy decision required)
- ☐ No committee review

Approved _____ Mayor

Agenda Item No. 7(P)(1)(D)

Veto _____

1-20-04

Override _____

RESOLUTION NO. _____

RESOLUTION AUTHORIZING THE COUNTY MANAGER TO ACCEPT THE PURCHASE AND SALE AGREEMENT CONTAINING A COUNTEROFFER INCLUDING ADDITIONAL LAND AND THE RELOCATION OR REPLACEMENT OF CERTAIN IMPROVEMENTS FOR THE PROPERTY LOCATED ALONG OLD DIXIE HIGHWAY, BETWEEN SW 157 AVENUE TO JUST SOUTH OF SW 280 STREET AS PART OF THE EXPANSION OF THE SOUTH MIAMI-DADE BUSWAY SEGMENT II

WHEREAS, this Board desires to accomplish the purposes outlined in the accompanying memorandum, a copy of which is incorporated herein by reference,

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board hereby accepts "The Purchase and Sale Agreement" containing a counteroffer including additional land, and the relocation or replacement of certain improvements, from Carlos V. Granado & America Deise Granado, his wife, as sellers, and the Public Works Department for the Miami-Dade Transit Department, as buyer, for Parcel No. 18, of Project No. 663300, for the purchase of property more specifically described in Exhibit "A", shown on the Location Map in "Exhibit B", attached hereto and made a part hereof; and authorizes the County Manager to acquire said land in fee simple title.

The foregoing resolution was offered by Commissioner
, who moved its adoption. The motion was
seconded by Commissioner
and upon being put to a vote, the vote was as follows:

Dr. Barbara Carey-Shuler, Chairperson	
Katy Sorenson, Vice-Chairperson	
Bruno A. Barreiro	Jose "Pepe" Diaz
Betty T. Ferguson	Sally A. Heyman
Joe A. Martinez	Jimmy L. Morales
Dennis C. Moss	Dorrin D. Rolle
Natacha Seijas	Rebeca Sosa
Sen. Javier D. Souto	

The Chairperson thereupon declared the resolution duly passed and adopted this 20th day of January, 2004. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

HARVEY RUVIN, CLERK

Approved by County Attorney as
to form and legal sufficiency.

By: Deputy Clerk

Thomas Goldstein

PURCHASE AND SALE AGREEMENT

A portion of Folio# 30-7904-000-0220

Project No.: 663300
Parcel No. 18
Project Name: S.D. Busway
Segment II

TO: Carlos V. Granado & wife America D.
5800 SW 45th Terrace
Miami, FL 33155

I/We offer to sell to Miami-Dade County for ~~\$9,600.00~~ ^{\$42,402.00} the following described property for additional road right-of-way needed for intersection safety improvements to the South Miami-Dade Busway, Segment II. The legal description of the area to be sold is described below:

See Exhibit "A" See new Exhibit "A"

I/We understand and agree that the figure stated above is compensation in full for the described property freed and discharged from any outstanding encumbrances of any notice, including liens, mortgages, judgments, contracts for the payment of money and rights of parties in possession and that all landscaping and other improvements on the described property will be relocated by the seller, at his expense.

I/We understand and agree that I must deliver legal and physical possession at time of closing of this real estate transaction.

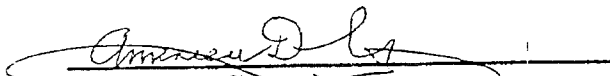
I/We understand and agree that I must pay all due and delinquent real estate taxes and that I may be required to pay the prorata portion of said taxes for the current year.

I/We agree to vacate this property and deliver possession upon receipt of final payment.

I/We understand and agree that if it is found that the above described property is contaminated at the time of purchase, I am/We are legally and financially responsible for the clean-up of the contamination and I/We agree to pay any money required to clean-up the property, which money can be deducted from the purchase price by the purchaser.


Carlos V. Granado

Date 10-15-03


America D. Granado

Date 10-15-03

C:\DOCUMENTS AND SETTINGS\SUM\WY DOCUMENTS\1 SOUTH-DADE BUSWAY SEGMENT II\PARCEL 18P & S AGR.GRANADO.DOC

Exhibit "A"
1 of 2

6

Legal Description:

A parcel of land in the Northwest 1/4 of Section 4, Township 57 South, Range 39 East, Miami-Dade County, Florida, more particularly described as follows:

Commence at the Southwest corner of the Northwest 1/4 of said Section 4; thence run N00°43'01"W along the West line of the Northwest 1/4 of said Section 4, for a distance of 1083.21 feet to its point of intersection with the Northwest right-of-way line of the South Miami-Dade Transportation Corridor, formerly the Florida East Coast (FEC) Railway right-of-way, said point of intersection being the **POINT OF BEGINNING**; thence continue N00°43'01"W, along the West line of the Northwest 1/4 of said Section 4, for 194.29 feet; thence N89°16'59"E for 40.00 feet; thence S00°43'01"E, along the East line of the West 40.00 feet of the Northwest 1/4 of said Section 4, for a distance of 10.00 feet, to the point of curvature of a circular curve, concave Northerly, having a radius of 25.00 feet; thence Southerly, Southeasterly, to Northeasterly along the arc of said curve through a central angle of 138°00'06" for an arc distance of 60.21 feet, to its point of tangency with a line parallel to and 50.00 feet Northwesterly of, as measured at right angles to the Northwest right-of-way line of the South Miami-Dade Transportation Corridor (former FEC right-of-way); thence N41°16'53"E, along said line parallel to the South Miami-Dade Transportation Corridor right-of-way, for 96.87 feet; thence N41°17'24"E, continuing parallel and 50.00 feet distant from said Northwesterly right-of-way line of the South Miami-Dade Transportation Corridor, for 1350.15 feet to the North line of South 3/4 of the Northwest 1/4 of the Northwest 1/4 of said Section 4; thence N89°09'54"E, for 67.41 feet, to the Northwest right-of-way line of said South Miami-Dade Transportation Corridor (former FEC right-of-way); thence S41°17'24"W, along said Northwest right-of-way line of said South Miami-Dade Transportation Corridor (former FEC right-of-way), for 1395.37 feet; thence S41°16'53"W, along said Northwest right-of-way South Miami-Dade Transportation Corridor (former FEC right-of-way) for 277.31 feet to the West line of the Northwest 1/4 of said Section 4 and the **POINT OF BEGINNING**.

LESS previously existing road rights-of-way.

Approved as to description

Date 10-14-2003

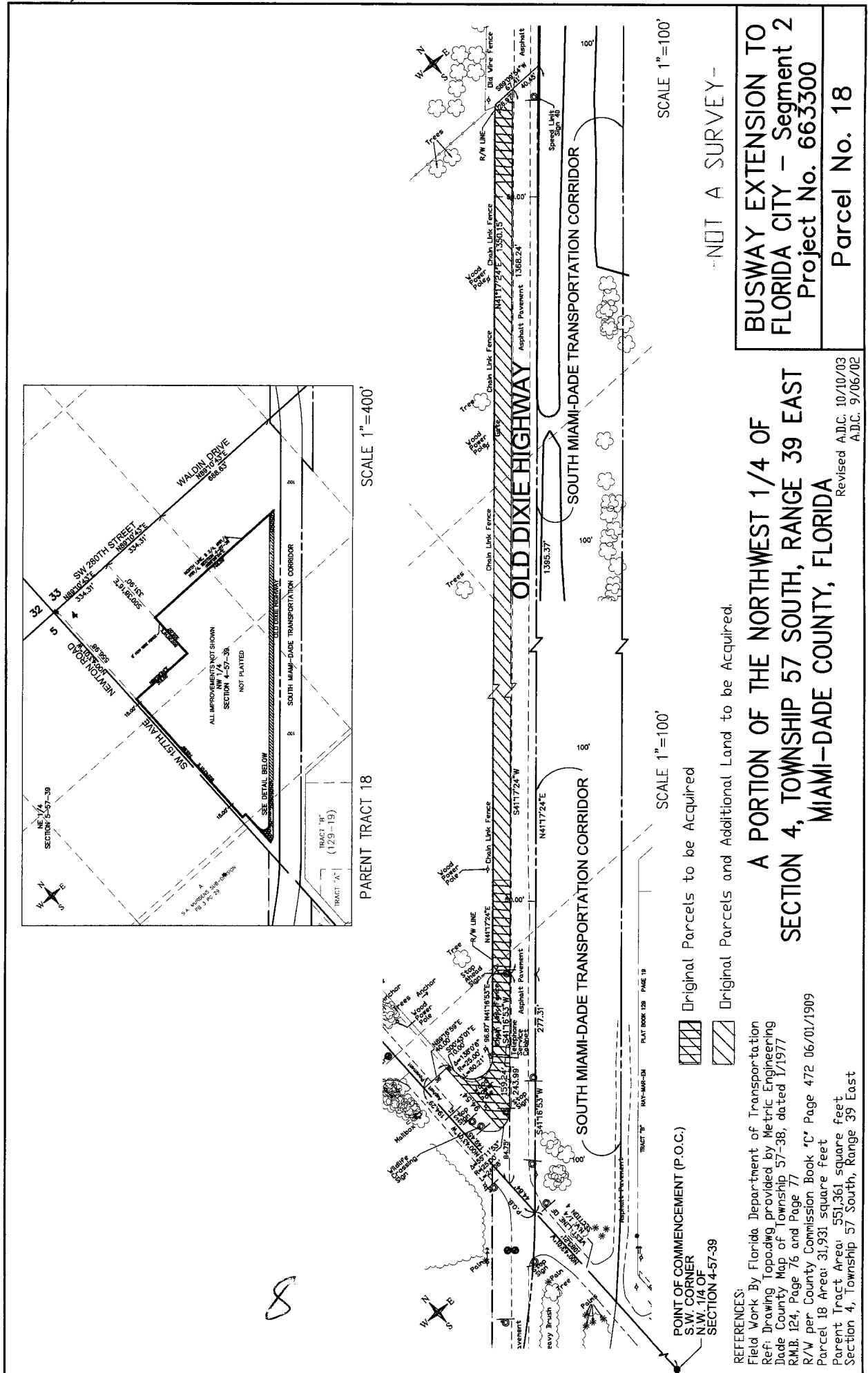
A. Conner

Exhibit "A"

2 of 2

7

EXHIBIT "B"



**BUSWAY EXTENSION TO
FLORIDA CITY - Segment 2
Project No. 663300**

Parcel No. 18

**A PORTION OF THE NORTHWEST 1/4 OF
SECTION 4, TOWNSHIP 57 SOUTH, RANGE 39 EAST
MIAMI-DADE COUNTY, FLORIDA**

Revised A.D.C. 10/10/03
A.D.C. 9/06/02

POINT OF COMMENCEMENT (P.O.C.)
S.W. CORNER
N.W. 1/4 OF
SECTION 4-57-39

Original Parcels to be Acquired

Original Parcels and Additional Land to be Acquired.

REFERENCES:
Field Work By Florida Department of Transportation
Ref: Drawing Topodging provided by Metric Engineering
Dade County Map of Township 57-38, dated 1/1977
R.M.B. 124, Page 76 and Page 77
R/W per County Commission Book "C" Page 472 06/01/1909
Parcel 18 Area: 31,931 square feet
Parent Tract Area: 551,361 square feet
Section 4, Township 57 South, Range 39 East

SCALE 1"=100'

SCALE 1"=100'

NOT A SURVEY -

SCALE 1"=400'

PARENT TRACT 18